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are tolerably frequent, there is no consistent attempt to mark the differences between the two systems. A second suggestion strikes somewhat deeper. In a survey of the changes which the law has undergone during a long period, it is not difficult to discern certain definite movements and tendencies, the development of fundamental principles already established, and the gradual establishment of principles which are substantially new. No greater service could be done to legal education in this country than that of tracing, so far as possible, through the current of decisions and legislation, the underlying principles to which the surface changes are referable. It is only fair to say that in a few instances something of this sort is attempted in the book under discussion, and with sufficient success to make the reader regret that such attempts are so rare. A third service which the authors might have rendered is suggested by the intimate relation between the history of law and the history of politics and society. One of the most obvious examples is found in the effect, hardly to be overestimated, which the abolition of primogeniture has had on the constitution of our society. Many other instances of the connection between law and political and social history, less evident or familiar, but for that reason all the more instructive, might have been pointed out. But scarcely anything of this sort is attempted.

It is evident that to have done either of the two things last suggested would have taken a good deal of space. But on the other hand comparatively few specific cases and rules of law would have sufficed for illustration, and work of scholarly character and permanent value would thus have taken the place of a catalogue of legal rules, which can scarcely be said to make a substantial contribution to any department of legal learning. The portions of the book, already referred to, which are of genuine interest and value, are sufficient to justify its publication; but one cannot help regretting that so many excellent opportunities to add materially to the sum of legal scholarship were almost entirely neglected.

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**A TREATISE ON INTERNATIONAL PUBLIC LAW.** By Hannis Taylor. Chicago: Callaghan & Co. 1901. pp. lxxvi, 912. 8vo.

Though international law has been developed largely by text writers, and though it lends itself readily to text-book treatment, the subject has not yet been thoroughly and satisfactorily covered. Authors have differed as to the advantages of the historical method as compared with the analytical method in application to this branch of the law, and, adopting the one or the other method, have failed to give an exhaustive treatise. The author of the present work, as he shows in his preface and introductory chapter, believes in the superiority of the historical method, but recognizes that the analytical method, too, must be invoked "in order that the intent and meaning of the various and complicated rules may be clearly expounded." At the outset, the author is handicapped by the magnitude of the task which he sets before himself. To write an adequate history of international law and at the same time an adequate treatise on the rules and principles, would be well-nigh impossible within the limits of a single volume of convenient size. The author's failure to write the ideal text book is due principally to subordinating too far a clear statement and thorough discussion of the rules to an elaborate exposition of the historical growth of the law, and to lengthy citations of historical illustrative instances.

Aside from the first two parts of the book which are devoted to purely historical matter, the author, in general, has followed Wheaton's classification. On disputed points in the law, the book adds nothing to the literature of the subject, for the author gives too little attention to analysis. An instance of this is to be found in § 131, where McLeod's case is considered. Mr. Webster's view of the case is stated accurately and concisely, and the opposing attitude of the New York court is adverted to, but the author dismisses the subject without showing the underlying principle in the case which clearly justified Mr. Webster. Again in §§ 164-168, in which the learned author treats of the effect of change of sovereignty on state obligations, the views of many writers are set

out by quotation from their works; but the author sums up the views without any analysis and statement of his own. The emphasis laid on the historical growth of the law leads to the curious result of confusing rules of policy and rules of law; an instance of which may be seen in the statement of the Monroe Doctrine as a rule of law.

It is but fair to say, however, that the book is the best American work since Wheaton. Mr. Taylor appears to have spared no painstaking and to have used every endeavor to make the work accurate. As a history of international law, and more particularly as a history of the contributions of Great Britain and the United States to international law, the book will certainly find a place. Containing, as it does, citations from and reference to the leading writers on international law, and a collection of the most important decided cases in Great Britain and the United States, it is without doubt the best single reference manual for the student to own.

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A HANDBOOK OF THE CODE OF CIVIL PROCEDURE. By Carlos C. Alden. New York: Baker, Voorhis & Company. 1901. pp. vi, 170. 8vo.

This manual is perhaps the latest of those designed to simplify for bar-examination purposes the special, complicated legislation of New York. From this point of view the Code has been well edited. Twelve chapters marshal the most elementary sections, generally reprinted *verbatim*, sometimes digested. For any but the primary purpose, however, the book is ill-fitted even in the hands of a beginner; it is silent, for example, on such every-day and such intricate matters as the various sorts of motions and orders. There is an index of subjects, but none of code-sections.

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A TREATISE ON THE LAW OF FRAUD AND MISTAKE. By William W. Kerr. Third edition by Sydney E. Williams. London: Sweet and Maxwell, Limited. 1902. pp. lxv, 557. 8vo.

A TREATISE ON THE LAW OF ATTACHMENTS, GARNISHMENTS, JUDGMENTS, AND EXECUTIONS. By John R. Rood. Ann Arbor: George Wahr. 1901. pp. 549. 8vo.

BRITTON: AN ENGLISH TRANSLATION AND NOTES. By Francis M. Nichols. Introduction by Simeon E. Baldwin. Washington; John Byrne & Co. 1901. pp. xxvii, 649. 8vo.

THE NECESSITY FOR CRIMINAL APPEAL AS ILLUSTRATED BY THE MAYBRICK CASE AND THE JURISPRUDENCE OF VARIOUS COUNTRIES. Edited by J. H. Levy. London: P. S. King and Son. 1899. pp. xii, 609. 8vo.

REPORT OF THE TWENTY-FOURTH ANNUAL MEETING OF THE AMERICAN BAR ASSOCIATION. Philadelphia: Dando Printing and Publishing Co. 1901. pp. 720. 8vo.